Amendments to the Claims

This listing of claims will replace all prior versions, and listings, of claims in the application.

Listing of Claims

1-36. (Canceled).

37. (Previously Presented)   A method for use in a code division multiple access (CDMA) user device, the method comprising:

transmitting first data to a base station over a plurality of wireless channels;

receiving second data from at least one data buffer in the base station over a plurality of data traffic channels;

receiving control data indicative of a data rate associated with the plurality of data traffic channels over a control channel; and

wherein the CDMA user device is dynamically assigned the plurality of data traffic channels for receiving data based on an urgency factor, wherein the urgency factor is based on the data present in the data buffer.

38.   (Canceled).

39. (Previously Presented)   The method of claim 37, wherein the data

received over the plurality of data traffic channels is associated with at least one priority.

40.   (Canceled).

41. (Previously Presented)   The method of claim 37, wherein the urgency factor is used to determine channel allocation based on the data type.

42-43. (Canceled).

44. (Previously Presented)   The method of claim 37, wherein the received first data comprises packet data corresponding to a particular data type attribute.

45-46. (Canceled).

47. (Currently Amended) A cellular network device comprising:

a plurality of data queues associated with a plurality of user devices; data of each data queue being associated with at least one logical channel and being associated with at least one priority; wherein a particular user device is associated with a plurality of data queues and a plurality of logical channels; and

at least one first device configured to transmit control data indicative of a

data rate associated with a ~~scheduled~~ plurality of physical code division multiple

access (CDMA) ~~CDMA~~ channels to the particular user device over a physical CDMA

control channel; wherein the at least one first device is further configured to

schedule data flows from data of the data queues based on the associated at least

one priority; wherein the at least one first device is further configured to transmit

the scheduled data flows using the ~~scheduled~~ plurality of physical CDMA channels;

wherein the at least one first device is further configured to combine data from a

plurality of logical channels for the particular user device into at least one data

flow; wherein a number of the physical channels of the ~~scheduled~~ plurality of

physical CDMA channels is dynamically assigned.

48. (Previously Presented)   The cellular network device of claim 47

wherein data of the scheduled data flows is associated with at least one serial

number and at least one checksum.

49. (Previously Presented)   The cellular network device of claim 47

wherein an initial transmission of data is in a subframe has a first number of data

bits and a retransmission of at least a portion of the data is in a subsequent

subframe has a different number of data bits.

50. (Currently Amended) A method comprising:

associating a plurality of data queues with a plurality of user devices, data of

each data queue being associated with at least one logical channel and being associated with at least one priority; wherein a particular user device is associated with a plurality of data queues and a plurality of logical channels; and

transmitting, via at least one first device, control data indicative of a data rate associated with a ~~scheduled~~ plurality of physical code division multiple access (CDMA) ~~CDMA~~ channels to the particular user device over a physical CDMA control channel; wherein the at least one first device schedules data flows from data of the data queues based on the associated at least one priority; wherein the at least one device transmits the scheduled data flows using the ~~scheduled~~ plurality of physical CDMA channels; wherein the at least one device combines data from a plurality of logical channels for the particular user device into at least one data flow; wherein a number of the physical channels of the ~~scheduled~~ plurality of physical CDMA channels is dynamically assigned.

51. (Previously Presented)   The method of claim 50 wherein data of the scheduled data flows is associated with at least one serial number and at least one checksum.

52. (Previously Presented)   The method of claim 50 wherein an initial transmission of data in a subframe has a first number of data bits and a retransmission of at least a portion of the data is in a subsequent subframe has a different number of data bits.